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TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

PART 165—FORMAL PETITIONS AND APPLICATIONS

PETITION FOR NONQUOTA OR PREFERENCE QUOTA IMMIGRATION VISA

MARCH 30, 1948.

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER of January 24, 1948 (13 F. R. 352) pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., 1003) and which stated in full the terms of proposed amendments to Parts 110 and 165, Title 8, Chapter I, Code of Federal Regulations, relating to petitions for nonquota or preference quota immigration visas. The rules are hereby adopted as stated below.

1. Paragraph (a) of § 110.36, *Non-quota status; by relationship to citizen or by former citizenship*, is amended by striking out the second sentence, which reads as follows: "The alien will be excluded if subsequent to issuance of the visa the alien has obtained a divorce from the citizen petitioner; or, if subsequently widowed, has remarried; or, if beneficiary is a child, has subsequently married."

2. A cross reference as follows is added immediately following § 110.36 (a)

CROSS REFERENCE: For approval of non-quota or preference quota status and for revocation of such approval, see 8 CFR 165.1-165.3.

3. The third proviso (which is the last proviso) to paragraph (a) of § 165.1, *Petition for nonquota or preference quota immigration visa; requirements*, is amended to read as follows: "And provided further That if the petitioner claims to have derived United States citizenship through the naturalization or resumption of citizenship of a parent or parents or by virtue of the United States citizenship of his parent or parents at the time of his birth outside the United States, the petitioner shall file with his petition such documentary evidence of

his citizenship as he has in his possession, and, if such evidence is found unsatisfactory, additional evidence may be required before approval of the petition."

4. Section 165.2 is amended to read as follows:

§ 165.2 *Petition for nonquota or preference quota status; where submitted; initial action; decision.* The executed petition on Form I-133 shall, if the petitioner is in the United States, be submitted by the petitioner to the Immigration and Naturalization office prescribed in § 60.30 (a) of this chapter. The petitioner may obtain advice at an office of the Immigration and Naturalization Service in preparing the required type-written petition on Form I-133. If the petitioner is abroad, he may obtain advice as to the execution of the petition from an American consular officer and may execute the petition before such officer in accordance with the applicable provisions of section 9 of the Immigration Act of 1924 (43 Stat. 157, 50 Stat. 164; 8 U. S. C. 209) and with the applicable consular regulations. If the petitioner is abroad, he should transmit the completed petition directly to the Commissioner of Immigration and Naturalization. In all cases where the beneficiary of the petition is an unmarried child approaching the age of 21 years, the petition should be submitted to the Immigration and Naturalization field office prescribed in § 60.30 (a) of this chapter, or to the Commissioner, in sufficient time for action to be completed on the petition and for the child to obtain the immigration visa and reach the United States before the date on which he will attain the age of 21 years. On the receipt in a proper Immigration and Naturalization field office of a petition on Form I-133, such petition shall be examined in the field office as to execution and as to adequacy of the supporting documentary evidence. If the petition is improperly executed or if the supporting evidence is inadequate, it may be returned by the field office to the petitioner with instructions as to corrective action. Where appropriate, the petitioner shall be interviewed in the field office relative to the petition. On receipt in a field office of a properly executed application and on completion of any questioning of the petitioner, the petition shall be endorsed to show that it has been examined

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to the

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and shall be forwarded by the field office to the Commissioner. The Commissioner shall render a decision on the petition and shall notify the Secretary of State of the decision if the petition is approved. The petitioner shall be notified of the decision, whether favorable or unfavorable, and where the petition is denied shall be notified of the right of appeal prescribed in Part 90 of this chapter.

5. The following section is added:

§ 165.3 *Nonquota or preference quota status; automatic revocation; reconsideration and revocation.* (a) Regardless of whether a petition for non-quota or preference quota status is approved before or after July 1, 1948, such approval shall automatically and without review or notice become revoked in any of the following events:

(1) As to beneficiaries in general:

(i) The beneficiary does not within three years after the date of approval file a formal application for an immigration visa or arrange with an American consular officer to have the name placed on a registration or waiting list; or

(ii) The petitioner loses his United States citizenship or dies before the beneficiary arrives in the United States to apply for admission under the status approved.

(2) As to spouse beneficiaries:

(i) The marriage of the petitioner to the beneficiary is terminated by divorce or annulment before the beneficiary arrives in the United States to apply for admission under the status approved.

(3) As to child beneficiaries:

(i) The child is married at the time he arrives in the United States to apply for admission under the status approved; or

(ii) The child attains the age of 21 years before he arrives in the United States to apply for admission under the status approved.

(b) Regardless of whether a petition for nonquota or preference-quota status is approved before or after July 1, 1948, such approval may for cause be revoked by the Commissioner at any time prior to the time the beneficiary commences his journey to the United States. No such revocation, however, shall have effect unless the petitioner is notified of the proposed revocation and is afforded an opportunity to refute the evidence on which it is predicated and unless notice of the revocation is communicated through the Department of State and the appropriate consular officer to the beneficiary before he commences his journey to the United States. If revocation is not accomplished in such fashion and the beneficiary applies for admission to the United States, the question of his admissibility shall be determined upon examination before an immigrant inspector or before a board of special inquiry. Approvals may be reconsidered by the Commissioner on request of the consular officer considering the application for the immigration visa or where the propriety of reconsideration is otherwise brought to the attention of the Commissioner. Revocations under this paragraph shall be appealable as prescribed in Part 90 of this chapter. (Sec. 9, 43 Stat. 157, 50 Stat. 164; 8 U. S. C. 209)

The rules stated above shall become effective on July 1, 1948.

These rules are based on the need for a detailed description of the procedure to be followed and the requirements to be met by persons who wish to petition for nonquota or preference quota immigration visas and by persons who wish to come to the United States as nonquota or preference quota immigrants. The purpose of these rules is to make it possible for all interested persons to ascertain such procedure and requirements.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a) 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458)

WATSON B. MILLER,
Commissioner of
Immigration and Naturalization.

Approved: April 29, 1948.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 48-3947; Filed, May 4, 1948;
8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. SR-320]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE CONTINENTAL LIMITS OF THE UNITED STATES

PART 61—SCHEDULED AIR CARRIER RULES

RESCISSION OF REQUIREMENT OF ABSOLUTE TERRAIN PROXIMITY INDICATOR ON ALL SCHEDULED AIRCRAFT CARRYING PASSENGERS DURING HOURS OF DARKNESS OR UNDER INSTRUMENT FLIGHT RULE CONDI- TIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 29th day of April 1948.

On October 10, 1947, the Board adopted Special Civil Air Regulation Serial

Number 399, effective February 15, 1948. This regulation required the installation of an absolute terrain proximity indicator on aircraft operated in scheduled air carrier service carrying passengers during the hours of darkness or under instrument flight rule conditions. It was provided that this regulation would terminate February 15, 1950. Upon petition of the air carriers based upon procurement and installation difficulties which prevented compliance within the allotted time, the Board, on February 11, 1948, extended the date for full compliance with this requirement until May 15, 1948, by means of Special Regulation SR-319.

The promulgation by the Board of a requirement for installation of absolute terrain proximity indicator equipment was based largely upon recommendations made by the President's Special Board of Inquiry on Air Safety on which the aviation industry, as well as the Government, was represented. Information presented to the President's Special Board and to the Civil Aeronautics Board indicated a pressing need for such equipment, and further indicated that devices of sufficient dependability had been developed to warrant their installation as secondary navigational aids. Upon consideration of these factors the Board provided that these indicators should be required only on scheduled air carrier aircraft carrying passengers and only as an auxiliary aid, not to replace other required navigational instruments. The Board pointed out that the requirement was for a limited period of two years during which the practicability of the device could be thoroughly tested, and an opportunity provided for further development and refinement before any further or broader extension of the requirement would be made. The Board then felt that the device would not detract from, and could contribute substantially to, the safety of flight, especially in the avoidance of accidents resulting from failure to clear terrain.

The operational experience of the several air carriers which have equipped substantial numbers of aircraft with the various models of the device now available does not bear out the information previously presented to the Board, which information was also the basis of the recommendations of the President's Special Board of Inquiry on Air Safety. Operational experience indicates that these indicators require an unusual amount of maintenance to assure their continued operation. For example, one carrier reported over 70 cases of malfunctioning for the 30 aircraft equipped with the device during a two-month period, or an average of more than one failure a day. Another carrier was required to change 177 units on 92 aircraft during a four-week period. Such a high rate of malfunctioning would undoubtedly result in numerous delays, if not cancellations of scheduled flights under the present regulation.

In addition, the device, which is intended to give indications at predetermined altitudes, is reported to give such indications at other than the predetermined altitudes. These erroneous indications may be due to equipment defi-

ciencies or external causes, such as electrical interference, rain, and wet snow. The relative frequency of such unreliable indications has apparently caused a lack of confidence of the pilots in the device presently being used. Of particular significance is the fact that certain conditions cause an indication of altitude higher than the actual altitude, thus giving the pilot a false sense of security. Recent tests conducted by the Technical Development Service of the Civil Aeronautics Administration confirm the fact that the indications given by the presently available equipment are not sufficiently reliable.

As the Board previously indicated, one of the bases for the promulgation of the original regulation was the belief that the regulation would expedite the further development and refinement of available equipment. The equipment now in use operates on a frequency band of 420 to 460 megacycles, as authorized by the Federal Communications Commission on a temporary basis for the proposed two-year experimental period. However, in accordance with a recent international agreement allocating radio frequencies, we are informed by the Federal Communications Commission that authority to use this frequency band cannot be extended, and that devices such as the absolute terrain proximity indicator will thereafter have to make use of frequencies between 4200 and 4400 megacycles. This change in frequency probably will render obsolete all equipment currently in use. Moreover, the differences in equipment designed to use the new frequencies would be such as to nullify the benefits of much of the operational experience with the present equipment.

In view of these factors, the Board does not feel justified in continuing to require the installation of the equipment which is presently available. The Board still believes that a device which would give the pilot a more definite indication not only as to his proximity to hazardous terrain and other objects, but also more complete information as to its relative location is highly desirable. It does not believe, however, that the rescission of the regulation will stop experimentation with and development of such a device by the equipment manufacturers and the air carriers. The Board intends to carefully observe the results of activity of this nature, and will take appropriate action to encourage the development and utilization of devices proven to be dependable.

For the reasons stated above, notice and public procedure hereon are impracticable, and the Board finds that goods cause exists for making this regulation effective on less than 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby rescinds Special Civil Air Regulation Serial Number SR-319 (13 F. R. 747) effective immediately.

(Secs. 205 (a) 601, 604, 52 Stat. 924, 1007, 1010; 49 U. S. C. 425 (a), 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-3974; Filed, May 4, 1948;
9:01 a. m.]

TITLE 21—FOOD AND DRUGS**Chapter I—Food and Drug Administration, Federal Security Agency****PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS****PENICILLIN TROCHES**

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463 and 61 Stat. 11, 21 U. S. C., Sup. 357) the regulations for certification of batches of penicillin- or streptomycin-containing drugs (12 F. R. 2231) as amended, are hereby further amended by deleting the period at the end of the second sentence of § 146.30 (a) substituting a comma therefor, and adding the following phrase: "except that if flavorings are omitted and it contains crystalline penicillin in a base of not less than 50 percent gelatin by weight, its moisture content is not more than 2 percent."

This order, which provides for an alternative preparation for penicillin troches, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay providing for an alternative preparation for penicillin troches.

(52 Stat. 1040, as amended; 21 U. S. C. Sup. 357).

Dated: April 29, 1948.

[SEAL] OSCAR R. EWING,
Administrator

[F. R. Doc. 48-3959; Filed, May 4, 1948; 8:58 a. m.]

TITLE 25—INDIANS**Chapter I—Office of Indian Affairs, Department of the Interior****Subchapter R—Leases and Sale of Minerals, Restricted Indian Lands**

[Order 2423]

PART 180—LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING**PART 186—LEASING OF TRIBAL LANDS FOR MINING****PART 195—LEASING OF LANDS IN CROW INDIAN RESERVATION, MONTANA, FOR MINING**

1. Section 180.38 is amended to read as follows:

§ 180.38 *Limitation.* There is no limitation to the number of acres any lessee

may acquire, by lease or assignment, for oil mining purposes on the Osage Indian Reservation. (34 Stat. 543, 45 Stat. 1478.)

2. Paragraph (a) (4) of § 186.9 *Acreage limitation*, is amended to read as follows:

(4) For oil or gas, as follows:

(i) State of Oklahoma—no limitation.

(ii) States other than Oklahoma—not to exceed 25,000 acres on any one Indian reservation.

(iii) Leases on restricted Indian lands outside of the geographic boundaries of any Indian reservation and leases operated under a cooperative or unit plan approved or prescribed by the Secretary of the Interior shall not be considered in determining holdings under this subparagraph.

(52 Stat. 347; 25 U. S. C. 396a-396f)

3. Paragraph (d) of § 195.10 *Lease acreage*, is amended to read as follows:

(d) The provisions of 25 CFR 186.9, as amended, are applicable to oil and gas leases under Part 195.

(41 Stat. 753, 44 Stat. 659)

J. A. KRUG.

Secretary of the Interior

APRIL 28, 1948.

[F. R. Doc. 48-3940; Filed, May 4, 1948; 8:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS**Chapter I—Interstate Commerce Commission**

[S. O. 87, Amdt. 13]

PART 95—CAR SERVICE**DEMURRAGE ON COAL**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of April A. D. 1948.

Upon further consideration of Service Order No. 87 (7 F. R. 8066) as amended (7 F. R. 8434; 11 F. R. 4737, 8451, 11 F. R. 12726, 14650; 12 F. R. 259, 2093, 2131, 4886; 13 F. R. 452, 525, 1170) and good cause appearing therefor:

It is ordered, That Service Order No. 87, as amended (codified as § 95.500) be, and it is hereby, further amended by substituting the following paragraph (a) for paragraph (a) thereof:

§ 95.500 *Suspension of demurrage rules, Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751 coal.* (a) The operation of demurrage rule contained in Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751, and supplements thereto or reissues thereof, is hereby suspended, to the extent that the free time allowed on cars loaded with bituminous and cannel coal and the coal products described in said tariff exceeds six days; that the average free time on cars delivered to storage plants for subsequent delivery to vessels exceeds three days; subject to the exception shown be-

low, that the settlement period for the average account exceeds two months; and that the operation of all of the provisions of said tariff inconsistent with this order is hereby suspended.

Exception. Any excess credits accruing at any point specified in the above named tariff in the account of any particular consignor or consignee during the settlement periods ending 7:00 a. m., March 1, 1948, and 7:00 a. m., May 1, 1948, which are not offset by credits accruing to the same party during that same period at the same point because sufficient such credits have not accrued to the particular consignor or consignee due to the frozen condition of coal delaying or preventing unloading during the settlement period ending March 1, 1948, and due to the curtailment of coal production during the settlement period ending May 1, 1948, may be offset by excess credits accruing at the same point to the same consignor or consignee in the settlement period ending at 7:00 a. m., July 1, 1948.

It is further ordered, This amendment shall become effective at 7:00 a. m., May 1, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3949; Filed, May 4, 1948; 8:48 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 69, Revocation]

PART 500—CONSERVATION OF RAIL EQUIPMENT**RESTRICTIONS ON PASSENGER AND SPECIAL TRAIN SERVICE**

Pursuant to Executive Orders 8989, as amended, 9729, as amended, and 9919; it is hereby ordered.

That General Order ODT 69, as amended, §§ 500.115 to 500.119, inclusive (13 F. R. 1481, 1999, 2045) be, and it is hereby, revoked effective at 11:50 o'clock p. m. Eastern Standard Time, April 30, 1948.

(E. O. 8989, Dec. 18, 1941, 6 F. R. 6725, E. O. 9389, Oct. 18, 1943, 8 F. R. 14183, E. O. 9729, May 23, 1946, 11 F. R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Issued at Washington, D. C., this 29th day of April 1948.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 48-3946; Filed, May 4, 1948; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 1510]

ESSEX COUNTY COOP CO., NEW YORK, N. Y.,
AND NEWARK, N. J.

NOTICE OF PETITION FOR MODIFICATION OF TEMPORARY RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) an order was issued on March 16, 1948, providing for temporary rates and charges for the respondent which are due to expire on April 5, 1949.

By petition filed April 13, 1948, respondent has requested permission to assess and charge certain increased rates for poultry and turkey coops which would expire on April 5, 1949, as follows:

	Present rate	Requested rate
Poultry coops.....	\$0.60	\$0.68
Turkey coops.....	.85	.90

The respondent seeks no modification of other rates and charges.

It appears that public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of such petition for modification. All interested persons who desire to be heard upon the matters requested in said petition shall notify the hearing clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of the publication of this notice.

A copy hereof shall be served upon the respondent by registered mail or in person.

Done at Washington, D. C., this 28th day of April 1948.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 48-3948; Filed, May 4, 1948; 8:48 a. m.]

17 CFR, Part 9041

[Docket No. AO 14-A 16]

HANDLING OF MILK IN GREATER BOSTON, MASS., MILK MARKETING AREA

HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and

procedure, as amended (7 CFR Supps. 900.1 et seq., 11 F. R. 7737, 12 F. R. 1159, 4904) notice is hereby given of a public hearing to be held beginning at 10:00 a. m., e. d. s. t. (9:00 a. m., e. s. t.) May 24, 1948 at the Grange Hall, Morrisville, Vermont, and beginning at 10:00 a. m., e. d. s. t. May 26, 1948 at Court Room No. 5, Federal Building, Post Office Square, Boston, Massachusetts.

This hearing is for the purpose of receiving evidence with respect to proposed amendments, hereinafter set forth, or modifications thereof, to the tentative marketing agreement and the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, milk marketing area (12 F. R. 4921, 13 F. R. 1639)

These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments proposed by
United Farmers of New England, Boston, Mass.

Milton Co-operative Dairy Corp., Milton, Vt.

Bethel Co-operative Creamery, Bethel, Vt.

Shelburne Co-operative Creamery, Shelburne, Vt.

Grand Isle County Co-operative Creamery, Association, Grand Isle, Vt.

Mt. Mansfield Co-operative Creamery & Grain Association, Stowe, Vt.

Richmond Co-operative Creamery, Richmond, Vt.

1. In § 904.7 (b) (Class II Prices), make changes which will result in an annual weighted average reduction of the Class II price of \$0.22, relative to the equivalent values for milk of 3.7 percent butterfat content of the published quotations for prices of cream at Boston and nonfat dry milk solids at New York as now used in Order No. 4.

2. In § 904.9 (d) (Butterfat Differential) change the factor "1.5 cents" to "2.5 cents."

3. In § 904.7 (d) (Butter and Cheese Adjustment) change the term "April, May, June and July," to "March through October, inclusive."

Amendment proposed by the Independent Cooperative Association, Inc., and The Eastern New York Dairy Co-operative, Inc..

4. Delete § 904.7 (b) (3) and substitute the following:

(3) Compute any plus amount for skim value which results from the following calculation. Using the mid-point in any range as one price, compute the average price of non-fat dry milk solids in carlots for roller process human food products in barrels, and for hot roller process animal feed products in bags, as published during the month by the United States Department of Agriculture for New York City. Multiply such average price by the applicable percentage indicated for the month in the following table and combine the result, subtract 4 cents, multiply the remainder by 7.5.

Month	Human food products	Animal feed products
	Percent	Percent
January.....	100	0
February.....	100	0
March.....	100	0
April.....	50	10
May.....	50	10
June.....	50	10
July.....	50	10
August.....	75	25
September.....	75	25
October.....	100	0
November.....	100	0
December.....	100	0

Amendments proposed by Whiting Milk Company.

5. Amend § 904.7 (b) Class II Prices by eliminating the table given under § 904.7 (b) (3) and substituting the following table:

Month	Human food products	Animal feed products
	Percent	Percent
January.....	100	0
February.....	100	0
March.....	100	0
April.....	75	25
May.....	50	10
June.....	50	10
July.....	75	25
August.....	100	0
September.....	100	0
October.....	100	0
November.....	100	0
December.....	100	0

6. In § 904.7 (d) Butter and Cheese Adjustment, eliminate the words "April" and "July."

Amendment proposed by Northern Farms Cooperative, Inc. and Maine Dairymen's Association, Inc..

7. Amend § 904.7 (d) by deleting the words "April" and "July" and by adding a proviso, that, if in the months of April and July the market administrator determines that no outlet for substantial quantities of cream is available, he shall extend the butter and cheese adjustment to cover either or both of these months in which no such outlet is available.

Amendments proposed by H. P. Hood & Sons, Inc..

8. Revise § 904.7 (c) to accomplish the following objectives:

(a) Adjust the zone cream shipping cost differentials in Column C to reflect changes in freight rates which have occurred since the differentials were established.

(b) Further adjust the zone differentials in Column C to reflect:

(1) Freight cost to Boston of the cream in 93 percent of all Class II milk and

(2) Freight cost to Boston of the remaining 7 percent of all Class II milk in fluid form.

(c) Provide for increases or decreases in the differentials in Column C to become effective in the first complete month in which an increase or decrease in the effective rail tariff applies, and

(d) Institute in Column C differentials for individual 10-mile zones and estab-

lish the price differentials to the nearest tenth of one cent.

It is proposed to accomplish these revisions by adding a sentence to the § 904.7 (c) as follows: "In case the rail tariff for the transportation of cream in less than carload lots, as published in the New England Joint Tariff, M-5, is increased or decreased, the differentials set forth in Column C for zones other than 211-220 miles shall be increased or decreased to the extent of any increase or decrease in the difference between the rail tariff for mileage distances of 211-220 miles inclusive and for the other applicable distances; divided by 9.05. Such adjustment shall be made to the nearest one-tenth cent per hundredweight, effective with the first complete month in which such increase or decrease in the rail tariff applies. For the purpose of this paragraph, it shall be considered that the rail tariff on milk received at a city plant is zero," and by substituting the following Class II price differentials under Column C of the same paragraph:

City Plant....	+40.5	141-150.....	+2.3
41-50.....	+4.5	151-160.....	+2.0
51-60.....	+4.4	161-170.....	+2.0
61-70.....	+4.1	171-180.....	+1.3
71-80.....	+3.9	181-190.....	+1.1
81-90.....	+3.8	191-200.....	+0.9
91-100.....	+3.6	201-210.....	+0.9
101-110.....	+3.5	211-220.....	0
111-120.....	+3.3	221-230.....	-1
121-130.....	+3.1	231-240.....	-1.3
131-140.....	+2.9	241-250.....	-1.3

251-260.....	-0.6	331-340.....	-2.4
261-270.....	-0.7	341-350.....	-2.5
271-280.....	-0.8	351-360.....	-2.6
281-290.....	-0.9	361-370.....	-2.8
291-300.....	-1.2	371-380.....	-2.9
301-310.....	-1.9	381-390.....	-3.0
311-320.....	-2.0	391-400.....	-3.1
321-330.....	-2.1		

9. Amend § 904.7 (d) (2) by deleting the words "201-250" and inserting "211-220."

Amendments proposed by the Market Administrator:

10. Delete all provisions of the order relating to "Segregated Dairy Farmers" in the following manner:

(a) Delete § 904.1 (b) (9)

(b) Renumber the present subparagraph (6) of § 904.1 (b) as (5) and delete therefrom the phrase "except a segregated dairy farmer."

(c) Renumber the present subparagraph (7) of § 904.1 (b) as (6) and delete therefrom the phrase "and a segregated dairy farmer."

(d) Renumber the present subparagraphs (8) through (13) of § 904.1 (b) as (7) through (12) respectively, and in the present subparagraph (11) delete the closing phrase "or segregated dairy farmers."

(e) In § 904.4 (d) (1) delete the phrase "his receipts from segregated dairy farmers and"

11. In § 904.4 (a) (1) delete the words "Section 16" and substitute therefor the words "Sections 16C and 16G."

12. In § 904.6 (f) change the period at the end of the sentence to a comma, and add the following: "and the quantities of milk and milk products on hand at the end of the month."

13. In § 904.9 (c) delete the words "pursuant to subparagraph (2) of paragraph (b)" and substitute therefor the words "pursuant to paragraph (b) (2) and paragraph (g) "

14. In § 904.11 delete the figures "2.5" and substitute therefor the figure "3".

15. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the tentative marketing agreement and the order, as amended, now in effect, may be procured from the market administrator at 80 Federal Street, Boston 10, Massachusetts, or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., or may be there inspected.

Dated: April 30, 1948.

[SEAL]

S. R. NEWELL,

Acting Assistant Administrator,
Production and Marketing
Administration.

[F. R. Doc. 48-3973; Filed May 4, 1948;
9:11 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Geological Survey

TAIYA RIVER, ALASKA

POWER SITE CLASSIFICATION NO. 396

APRIL 23, 1948.

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31) and by Departmental Order No. 2333 of June 10, 1947 (43 CFR 4.623; 12 F. R. 4025) the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of section 24 of the act of June 10, 1920, as amended by section 211 of the act of August 26, 1935 (16 U. S. C., Supp. V 818)

VICINITY

Latitude 59°40' north.
Longitude 135°16' west.

Every smallest legal subdivision, any portion of which, when surveyed will be within one-half (½) mile of Taiya River from the mouth of Nourse River to the International Boundary.

The area described aggregates roughly 5,000 acres.

THOMAS B. NOLAN,
Acting Director

[F. R. Doc. 48-3939; Filed, May 4, 1948;
8:46 a. m.]

Office of the Secretary

FORT BERTHOLD RESERVATION, NORTH DAKOTA

ORDER OF RESTORATION

Whereas, by Departmental Order of June 13, 1938, certain surplus or ceded lands in a given area on the Fort Berthold Reservation, North Dakota, were, under the provisions of the act of June 18, 1934 (48 Stat. 984) restored to tribal ownership, and

Whereas, there still remain certain scattered tracts of surplus ceded land, and undisposed of townsite lots on the reservation which have not been restored to tribal ownership, some of which are now needed by the affiliated tribes of the reservation for consolidating Indian land holdings through exchange, and

Whereas, the Tribal Council, the Superintendent of the Fort Berthold Agency, and the Commissioner of Indian Affairs have recommended restoration to tribal ownership the lands involved in the proposed exchange.

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by sections 3 and 7 of the act of June 18, 1934 (48 Stat. 984), I hereby find that restoration to tribal ownership of the lands described below, will be in the public interest, and the said lands are hereby restored to tribal ownership for the use and benefit of the Three Affiliated Tribes of the Fort Berthold Reservation,

North Dakota, and are added to and made a part of the existing reservation, subject to any existing valid rights:

Township 149 North, Range 89 West:

NE¼ sec. 9.

SW¼SW¼ sec. 11.

NW¼NW¼ sec. 14, and the following Lots in the Townsite of Batesville, located in the SE¼ sec. 5, T. 149 N., R. 87 W., 5th P. M., North Dakota:

Block:	Lots
1.....	1 to 6.
2.....	1, 2, 3.
3.....	1, 2, 3, 4.
4.....	1 to 7.
5.....	1 to 9.
8.....	9 to 16.
9.....	1 to 16.
10.....	1 to 16.
11.....	1 to 16.
12.....	1 to 16.
13.....	1 to 16.
14.....	1 to 16.
15.....	5 to 16.
18.....	1 to 16.
19.....	1 to 16.
22.....	1 to 16.
23.....	1 to 16.
25.....	1 to 16.
26.....	1 to 16.
27.....	1 to 16.
28.....	1 to 16.
29.....	1 to 16.
30.....	1 to 16.
31.....	1 to 16.
32.....	1 to 16.
33.....	1 to 7, 9 to 15.
34.....	1 to 4, 9 to 12.
35.....	1 to 6, 9 to 14.
36.....	1 to 6, 9 to 15.
37.....	1 to 7, 9 to 15.

Block—Continued Lots
38----- 1 to 7, 9 to 15.
39----- 1 to 7, 9 to 15.

containing in all approximately 329 acres.

WILLIAM E. WARNE,
Assistant Secretary of the Interior
APRIL 8, 1948.

[F. R. Doc. 48-3938; Filed, May 4, 1948;
8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7655, and 8388]

JAMES A. NOE (KNOE) AND MODEL CITY
BROADCASTING Co., Inc

ORDER CONTINUING HEARING

In re applications of James A. Noe (KNOE) Monroe, Louisiana, Docket No. 7655, File No. BMP-1839, for modification of construction permit; Model City Broadcasting Company, Inc., Anniston, Alabama, Docket No. 8388, File No. BP-5250, for construction permit.

The Commission having under consideration a petition filed April 27, 1948, by Model City Broadcasting Company, Inc., Anniston, Alabama, requesting a thirty-day continuance of the hearing now scheduled for April 28, 1948, at Washington, D. C., on its above-entitled application for construction permit and the above-entitled application for modification of construction permit of James A. Noe (KNOE) Monroe, Louisiana;

It is ordered, This 27th day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Thursday, May 27, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3962; Filed, May 4, 1948;
8:59 a. m.]

[Docket No. 8380]

OZARKS BROADCASTING Co. (KWTO)

ORDER CONTINUING HEARING

In re application of Ozarks Broadcasting Company (KWTO) Springfield, Missouri; Docket No. 8380, File No. BP-5259; for construction permit.

The Commission having under consideration a petition filed April 26, 1948, by Ozarks Broadcasting Company (KWTO) Springfield, Missouri, requesting that the Commission continue for thirty days the hearing now scheduled for April 30, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 27th day of April, 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Thursday, May 27, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3963; Filed, May 4, 1948;
8:59 a. m.]

[Docket No. 8279]

FOUNDATION CO. OF WASHINGTON

ORDER CONTINUING HEARING

In re application of Foundation Company of Washington, Washington, D. C., Docket No. 8279, File No. BP-4997, for construction permit.

Whereas, the above-entitled application is scheduled to be heard in a separate proceeding at Washington, D. C., on April 29, 1948; and

Whereas, Counsel for the above-entitled applicant has informed the Commission that the above-entitled applicant will file a petition for dismissal without prejudice in the near future;

It is ordered, This 27th day of April 1948, that the said hearing be, and it is hereby, continued to 10:00 a. m., Friday, May 14, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3964; Filed, May 4, 1948;
8:59 a. m.]

[Docket Nos. 8179 and 8189]

BLACKHAWK BROADCASTING Co. AND WTAX,
Inc.

ORDER CONTINUING HEARING

In re applications of Blackhawk Broadcasting Company, Sterling, Illinois, Docket No. 8179, File No. BP-5409; WTAX, Inc. (WTAX), Springfield, Illinois, Docket No. 8180, File No. BP-5588; for construction permits.

Whereas, the above-entitled applications are scheduled to be heard in a consolidated proceeding at Washington, D. C., on April 29, 1948; and

Whereas, it appears that the above-entitled application of Blackhawk Broadcasting Company involves objectionable adjacent channel interference with the services proposed in the pending application to change facilities of Station WLPO, LaSalle, Illinois (File No. BP-6612) and that the application of WTAX, Inc. (WTAX) involves objectionable adjacent channel interference with the services proposed in a pending application for a new station at Shelbyville, Illinois (File No. BP-6438);

It is ordered, This 27th day of April, 1948, that, pending a determination by the Commission of whether the above-entitled applications should be consolidated for hearing with the said applications or change of facilities of Station WLPO, LaSalle, Illinois (File No. BP-6612), and for a new station at Shelbyville, Illinois (File No. BP-6438), the said hearing on the above-entitled applications of Blackhawk Broadcasting Company, Sterling, Illinois, and WTAX, Inc. (WTAX), Springfield, Illinois, be, and it is hereby, continued to 10:00 a. m., June 7, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3965; Filed, May 4, 1948;
8:59 a. m.]

[Docket No. 8631]

COMMUNITY BROADCASTING Co.

ORDER CONTINUING HEARING

In re application of Leslie C. Smith, B. G. Moffett and J. H. Mayberry, a partnership d/b as Community Broadcasting Company, Corpus Christi, Texas; File No. BP-6306, Docket No. 8681, for construction permit.

The Commission having under consideration a petition filed April 22, 1948, by Eugene J. Roth, tr/as Mission Broadcasting Company (KONO), San Antonio, Texas, requesting a continuance to May 17, 1948, of the hearing now scheduled for April 28, 1948, on the application of Leslie C. Smith, B. G. Moffett and J. H. Mayberry, a partnership d/b as Community Broadcasting Company, Corpus Christi, Texas (File No. BP-6306; Docket No. 8681), to which petitioner has been named a party;

It is ordered, This 26th day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Monday, May 17, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3966; Filed, May 4, 1948;
8:59 a. m.]

[Docket No. 8920]

PUERTO RICO COMMUNICATIONS AUTHORITY
ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Puerto Rico Communications Authority, San Juan, Puerto Rico, File No. BPH-769, Docket No. 8920, for FM construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 28th day of April, 1948;

The Commission having under consideration the above-entitled application for a construction permit for a Class A FM station at San Juan, Puerto Rico;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application be, and it is hereby, designated for hearing, at a time and place to be specified by a subsequent order of the Commission upon the following issues:

1. To determine what overlap of service areas, if any, would exist between the proposed station and the Class B FM station at Rio Piedras, Puerto Rico (File No. BPH-770) granted to the applicant on March 31, 1948, and whether such overlap, if any, would be in contravention of § 3.240 of the Commission's rules and regulations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and standards of good engineering practice concerning FM broadcast stations.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3967; Filed, May 4, 1948;
8:59 a. m.]

[Docket No. 8951]

NORTH SHORE BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR
CONSOLIDATED HEARING

In re application of North Shore Broadcasting Company, Inc., Evanston, Illinois; File No. BHP-1429, Docket No. 8951, for FM construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 28th day of April 1948;

The Commission having under consideration the above-entitled application for a construction permit for a new Class B FM station to be located at Evanston, Illinois;

Whereas, the Commission on February 5, 1948, designated for a consolidated hearing the applications of Gene T. Dyer, et al., d/b as Radio Station WATT, et al. (Dockets 7150 and 8770-8772, inclusive) which applications all requested Class B FM stations in the Chicago, Illinois area, which hearing is scheduled to commence at 10:00 a. m. on Wednesday, June 2, 1948, at Chicago, Illinois;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application be, and it is hereby, designated for hearing in consolidation with the applications of Gene T. Dyer, et al. d/b as Radio Station WATT, et al. Dockets 7150 and 8770-8772, inclusive, upon the same issues in the order designating Dockets 7150 and 8770-8772, inclusive, for hearing;

It is further ordered, That the orders heretofore issued in Dockets 7150 and 8770-8772, inclusive, be, and they are hereby, amended to include the application of North Shore Broadcasting Company, Inc. (BPH-1429)

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3960; Filed, May 4, 1948;
8:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1033]

MEMPHIS NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 28, 1948.

Notice is hereby given that on April 12, 1948, an application was filed with the Federal Power Commission by Memphis Natural Gas Company (Applicant) a Delaware corporation with its principal place of business at Memphis, Tennessee, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities subject to the jurisdiction of the Commission:

(1) *Main line compressor station additions.* (a) 1,200 horsepower gas compressor unit at its Lula, Mississippi, compressor station;

(b) 1,200 horsepower gas compressor unit at its Benolt, Mississippi, compressor station;

(c) 1,200 horsepower gas compressor unit at its Wilnot, Arkansas, compressor station;

(d) Compressor building extensions, coolers, auxiliary pumps, valves, piping, and auxiliary facilities appurtenant to (a) (b) and (c) above.

(2) *Compressor station.* Two 1,000 horsepower gas compressor units to be located at the inlet side of Applicant's Lisbon 20-inch O. D. pipe line in Claiborne Parish, Louisiana, together with suitable housing structure, auxiliary building, meter building, warehouse, dwelling, cooling equipment, valves, pipes and auxiliary facilities appurtenant thereto.

(3) *Transmission line.* Approximately 9,000 feet of 18-inch O. D. pipe line extending the ends of the existing 14-inch O. D. submarine Mississippi River crossing at Greenville, Mississippi, to header stations on each side of the Mississippi River.

Applicant states that the proposed facilities will expand its capacity to its practical and economic limits, stated to be approximately 200,000 Mcf per day that to provide capacity in excess of approximately 200,000 Mcf per day, construction of a third pipe line from new sources of natural gas to supply Memphis would be required. In this connection Applicant states the proposed facilities plus a manufactured gas plant and standby facilities in the city of Memphis will supply firm demands during the winter of 1948-1949, assuming normal weather conditions.

Applicant states, however, that it is not proposed that the additional facilities will provide capacity to meet the entire demands upon its system as reflected by Exhibit III wherein it is stated:

(1) Actual peak day demand for 1947 at 16° Fahrenheit was for 185,000 Mcf (mean temperature of 16° used was arrived at by projecting degree day demand downward from a mean temperature of 26°)

(2) There was an actual demand for 220,950 Mcf on January 28, 1948 at a mean temperature of 16° Fahrenheit.

(3) Maximum daily pipe line flow capacity of applicant's system for 1947 was 160,000 Mcf at 15.15 psia, and on a comparable basis it is estimated that it will be 180,000 Mcf for 1948, and 200,000 Mcf for 1949, reflecting an increase of 20,000 Mcf in 1949 and 1948.

The estimated total over-all capital cost of the proposed facilities is \$843,492.78.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Memphis Natural Gas Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the

application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (18 CFR 1.8 or 1.10)

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 48-3941; Filed, May 4, 1948;
8:46 a. m.]

[Docket No. G-1038]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

APRIL 28, 1948.

Notice is hereby given that on April 21, 1948, an application was filed with the Federal Power Commission by Cities Service Gas Company (Applicant), a Delaware corporation with its principal place of business at Oklahoma City, Oklahoma, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of a 340 h. p. compressor station on Applicant's Superior 8-inch gas pipe line located in Section 15, Township 15 South, Range 8 West, Ellsworth County, Kansas.

Applicant contemplates that upon installation of the facility it will be utilized to safeguard service, meet increased demands and furnish better service on Applicant's Hutchinson-Superior 8-inch gas pipe line. Applicant states that ample amounts of natural gas will be available at Hutchinson to meet the required peak day demands of the Hutchinson-Superior system from the Hugoton to Hutchinson section of Applicant's Hugoton-Kansas City 26-inch gas pipe line, which section is expected to be in service for the 1948-1949 heating season. Applicant proposes to install the facility on or about May 15, 1948.

The estimated total over-all capital cost of construction of the proposed facility is \$85,000, to be financed with funds from Applicant's own treasury.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Cities Service Gas Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever

is applicable, of the rules of practice and procedure (18 CFR 1.8 or 1.10).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3942; Filed, May 4, 1948;
8:47 a. m.]

[Docket No. E-6136]

FLORIDA PUBLIC UTILITIES CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF
SECURITIES

APRIL 29, 1948.

Notice is hereby given that, on April 27, 1948, the Federal Power Commission issued its order entered April 26, 1948, authorizing issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3943; Filed, May 4, 1948;
8:47 a. m.]

[Docket No. IT-6001]

UNION ELECTRIC POWER CO.

NOTICE OF ORDER EXTENDING TIME FOR
MERGER OF FACILITIES

APRIL 29, 1948.

Notice is hereby given that, on April 28, 1948, the Federal Power Commission issued its order entered April 27, 1948, in the above-designated matter, extending time for merger of facilities.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3944; Filed, May 4, 1948;
8:47 a. m.]

[Docket Nos. G-995, G-1005]

GAS TRANSPORT, INC., AND WEST TEXAS
GAS CO.

NOTICE OF FINDINGS AND ORDERS ISSUING
CERTIFICATES OF PUBLIC CONVENIENCE
AND NECESSITY

APRIL 29, 1948.

Notice is hereby given that, on April 28, 1948, the Federal Power Commission issued its findings and orders entered April 27, 1948, issuing certificates of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3945; Filed, May 4, 1948;
8:47 a. m.]

[Docket No. G-991]

UNITED GAS PIPE LINE CO.

NOTICE OF FINDINGS AND ORDER ISSUING
CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY

APRIL 30, 1948.

Notice is hereby given that, on April 29, 1948, the Federal Power Commission issued its findings and order entered

April 28, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 48-3955; Filed, May 4, 1948;
8:49 a. m.]

[Docket No. E-6104]

SOUTH CAROLINA ELECTRIC & GAS CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING
ACQUISITION OF SECURITIES

APRIL 30, 1948.

Notice is hereby given that, on April 29, 1948, the Federal Power Commission issued its order entered April 29, 1948, authorizing and approving acquisition of securities in the above-designated matter.

[SEAL] J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 48-3956; Filed, May 4, 1948;
8:49 a. m.]

[Docket Nos. G-970 and G-976]

NEW YORK STATE NATURAL GAS CORP.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

APRIL 29, 1948.

Upon consideration of the following:
(a) Application filed November 17, 1947, as supplemented on November 24, 1947, by New York State Natural Gas Corporation (Applicant) a New York corporation, with its principal place of business in New York City, N. Y., at Docket No. G-970, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition, construction, and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as described in such application, as supplemented, on file with the Commission and open to public inspection, public notice thereof having been given, including publication in the FEDERAL REGISTER on December 17, 1947 (12 F. R. 8428)

(b) Application filed November 25, 1947, as supplemented on February 20, 1948, and further supplemented on April 26, 1948, by New York State Natural Gas Corporation (Applicant) a New York corporation, with its principal place of business in New York City, N. Y., at Docket No. G-976, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition, construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as described in such application, as supplemented, on file with the Commission and open to public inspection, public notice thereof having been given, including publication in the FEDERAL REGISTER on December 19, 1947 (12 F. R. 8661) and on March 12, 1948 (13 F. R. 1329)

It appears to the Commission that:

Good cause exists for consolidating the above matters for the purpose of hearing.

The Commission orders that:

(A) The above-docketed proceedings be and they are hereby consolidated for the purpose of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on May 17, 1948, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the applications and other pleadings in these proceedings.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: April 30, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3957; Filed, May 4, 1948;
8:49 a. m.]

[Docket No. G-704]

TRANS-CONTINENTAL GAS PIPE LINE CO.,
INC.

ORDER FIXING DATE OF REOPENED HEARING

APRIL 30, 1948.

It appearing to the Commission that:

(a) On March 1, 1948, the Commission found due and timely execution of its functions imperatively and unavoidably required the Commission to omit the intermediate decision procedure and render the final decision in the above-entitled proceedings and ordered the omission of such intermediate decision procedure in accordance with the provisions of Rule 30 (c) (3) of the Commission's rules of practice and procedure, effective September 11, 1946.

(b) On March 31, 1948, the Commission upon consideration of the entire record entered an order reopening this proceeding for the specific purpose of receiving additional evidence on the following matters:

(i) Showing that Applicant has firm contracts for the purchase of a supply of natural gas adequate to provide the full requirements of the project over the period of years for which it proposes to contract for the sale of gas and in which it proposes to amortize its debt.

(ii) Showing a plan for using storage fields to assure utilization of the full capacity of the project in such manner as will best serve the broader public interest, and the economic feasibility of the project under such plan.

(iii) Showing any other alternative plan of operation to accomplish the purposes indicated in paragraph (ii) above, and the economic feasibility thereof.

(iv) With respect to any other matters pertinent to the issues presented in this proceeding.

(c) On April 29, 1948, Trans-Continental Gas Pipe Line Company, Inc., filed its motion requesting that the Commis-

sion fix the date of hearing in the above-entitled matter with respect to the presentation of such supplemental additional evidence referred to in paragraph (b) above.

The Commission, therefore, orders that:

(A) A public hearing be held commencing on May 11, 1948, at 10:00 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., for the specific purpose of receiving additional evidence on the matters set forth in paragraph (b) above.

(B) Upon completion of the receipt of such supplemental additional evidence, the record thereof shall be closed and forthwith certified to the Commission and supplemental briefs may be filed within seven (7) days thereafter for Commission consideration unless otherwise ordered.

(C) All interveners in this proceeding may participate in such further hearing in accordance with leave heretofore granted by the Commission.

(D) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

By the Commission.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-3976; Filed, May 4, 1948;
9:38 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. 8 to Special Directive 25]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 25 (12 F. R. 8389; 13 F. R. 301, 407) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 25, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof:

(1) To furnish to the mines listed below Cars for the loading of The Central Railroad Company of New Jersey fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine:	Cars for May 1948
Katherine & Pepper	95
Linda	20
Cliff	30
Elk Hill	25
Roberta	40
Henshaw	15
Riley	30
McCandlish	20
Galloway Nos. 2 and 3	75
Linda (Sinek)	12
Ronay (Ferguson)	6
Burns	20
Alpha	16
Cain	16

A copy of this amendment shall be served upon The Baltimore and Ohio Railroad Company and notice of this

amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-3950; Filed, May 4, 1948;
8:48 a. m.]

[S. O. 790, Amdt. 4 to Special Directive 29]

WESTERN MARYLAND RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 29 (12 F. R. 8389; 13 F. R. 102) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 29, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof:

(1) To furnish during May 1948, to the Swamp Run mine twenty cars for the loading of Central Railroad Company of New Jersey fuel coal from its total available supply of cars suitable for the transportation of coal.

A copy of this amendment shall be served upon the Western Maryland Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-3951; Filed, May 4, 1948;
8:48 a. m.]

[S. O. 790, Amdt. 6 to Special Directive 30]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 30 (12 F. R. 8782) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 30, be, and it is hereby amended by substituting Appendix A hereof for Appendix A thereof.

A copy of this amendment shall be served upon The Baltimore and Ohio Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Sec-

retary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 28th day of April A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

APPENDIX A

Mine:	Cars per week
Tunnelton	12
Century No. 1	
Lawbar	140
Tuckahoe	
Volga	
Lena No. 1	
Lawbar	12
Roberta No. 2	12
Rex	4
Shamrock	9
Kane	15
Woodford No. 1	20
Woodford No. 2	44
Woodyard	
Crystal Ice Tipple	12
Webster No. 1	
Galloway No. 2	335
Galloway No. 3	
Polino	
Cain 3 and 4 (M. H. Cain C. Co.)	12
Wendel No. 2	23
Wendel No. 4	
Hebb	15
Glen Cambria	20
Pepper (Hartley No. 1)	13
Johnston No. 5	
Columbia	
Sycamore	
Clare	
Daft	
Warder	
Balley No. 3	132
Halfway	
Renwick	
McWhorter	
Penn No. 1	
Eagle No. 2	
Vincent No. 4	
Oral Lake	15
Faris	
Bridgeport	37
Elk Hill	4
Willard No. 1	
Fairmore	25
Chieftain	12
Carol No. 2	6
Lewis	15
Hilltop No. 1	
Hilltop No. 2	31
Sander	
Ridge Nos. 1 and 3	8
Jenkins	
Kingmont	
Kingmont Jr.	10
Colfax	5
Jamison	25
Consol No. 25	
Consol No. 32	
Consol No. 38	
Consol No. 63	
Consol No. 97	
Consol No. 50-A	102
Blaine	
Seaboard No. 1	
Meadowbrook Nos. 1 and 2	
Ehlen No. 2	
Winchester No. 4	
Scott No. 2	25
Riley	6
Robert	32
Haywood	6
Gypsy	12
Lambert Run	4
Cliff	8
O'Donnell	75

Mine:	Cars per week
McCandlish	25
Katherine	
Pepper	
Gregory No. 3	
Ronay	
Penn No. 2	
Piggott	
Michael No. 1	288
Linda No. 1	
Milford No. 1	
Quinn	
Alpha	
Rogers (Quinn)	
Carter	
Jay-Arr	
Dawson	63
Laura Lee	11
Corona	25
Linda No. 1	11
Keeley No. 1	
Keeley No. 2	150
Tasa No. 7	
Tasa No. 9	81
Goff	
McCanns Run	
Good Hope	18
Byron	
Mitchell (Dicks)	27
Cleghorn	
Hull No. 1	11
Queen	12
Ella	11
Adrian	6
Norton	33
Silvester	10
Williams No. 1	6
Jon Tee	6
Bower	25
Martha	5
David Baker, Jr.	11
Orehard	5
Speidel	12
Bradley (Speidel)	10
Willow Grove No. 10	52
Brookside	
Boggs Run	
Yanosik	
Bradford	16
Balog	
Godaway	
Alexander	
Valley Camp No. 1	
Valley Camp No. 3	129
Valley Camp No. 5	
Bradford No. 1	82
Blaine No. 3—Stanley No. 4	50
Barton	50
Roberts (Godaway No. 2)	19
Norton No. 2	86
Camel Run	25
Virginia Hill	
Junior—Liberty	36
Rice Bros No. 1	
June No. 1	47
Leone	3
Latrobe	37
Iles	10
Bickemeier	3
Orell	
Minder	12
McFarlin	
F. W. Hoffman C. Co. (Duch Bros.—Belga)	4
Bruns (Henry)	10
Morgan	7
Thorn Hill	6
Giblaw	8
Cenci	9
New Albany	12
Sidwell	
Barnes Bros.—Bristol	
Tracy—Walton—(Giblaw)	84
Pike	
Eagle (Pa.)	45
Canyon	25
Gilmore	2

Mine:	Cars per week
Tunnel	
Little Run	25
Cornish	
Lockview	16
Carter	15
White Bridge No. 1	1
Shaw Big Vein Nos. 1 and 2	5
Fuel No. 3	2
Keystone No. 3	8
Ponfeigh No. 6	
Ponfeigh—Pine Hill	12
Arden No. 11—Fleetwood	5
Kimberly	4
Consol 119	
Consol 120	9
Scurfield	15
Jerome Nos. 1, 2, and 3	9
Wildwood	8
Tasa No. 8	12
James	6
Shillinger	1
Rositer	40
Yatesboro No. 5	
Helvetia	
Ernest	
Lucerne	
Kent Nos. 1 and 2	
Kent Nos. 3 and 4	
Sagamore	
Mosgrove	
Lumsted	
McWilliams No. 4	
Summitt Nos. 5 and 6 (Recceman-Good)	250
Frances	
Klingensmith	
Park	
Garzone	
Two Lick	
Neal (Hamilton)	
Stratiff No. 8	
Black Diamond	
Beech Tree Nos 1 and 2	
Jullian No. 1	255
North Breese	12
Murdock	5
Black Fork (Buckeye)	15
Waterloo, Oak Hill, 0	
Power, Hope, 0	
Todd, Hope, 0	
Kinnison, Wellston, 0	
Kriebel, Wellston, 0	
Irish Ridge, Wellston, 0	
Reed, Wellston, 0	42
W&H (McKitterick) Wellston, 0	
Jisco, Wellston, 0	
Collins & Walton	
Souder & Ramsey (Gilmore)	
Walton	

[F. R. Doc. 48-3952; Filed, May 4, 1948;
8:48 a. m.]

[S. O. 790, Special Directive 63]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD COAL SUPPLY

On April 26, 1948, the Boston and Maine Railroad have certified that they have on that date in storage and in cars a total supply of less than 11 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Baltimore and Ohio Railroad Company is directed:

(1) To furnish weekly to the mines listed below cars for the loading of fuel coal from its total available supply of cars suitable for the transportation of coal:

Mine:	Cars per week
Christopher No. 6	40
Katherine	15
Lockview	10
Glen Cambria	25
Gregory	10
Pepper	15

(2) That such cars furnished in excess of the mine's distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for the Boston and Maine Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable, after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given to the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April A. D. 1948.

INTERSTATE COMMERCE,
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-3953; Filed, May 4, 1948;
8:49 a. m.]

[S. O. 790, Special Directive 64]

MONONGAHELA RAILWAY CO.

DIRECTIVE TO FURNISH CARS FOR RAILWAY COAL SUPPLY

On April 26, 1948, the Boston and Maine Railroad certified that they have on that date in storage and in cars a total supply of 11 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Monongahela Railway Company is directed:

(1) To furnish weekly to mines listed below cars for the loading of the Boston and Maine Railroad fuel co.' from its total available supply of cars suitable for the transportation of coal:

Mine:	Cars per week
Christopher No. 8	13
Booth	35
Rosedale	25
Federal Nos. 1 and 3	5

(2) That such cars furnished in excess of the mine's distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for the Boston and Maine Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April A. D. 1948.

INTERSTATE COMMERCE,
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-3954; Filed, May 4, 1948;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11103]

IMPERIAL JAPANESE GOVERNMENT

In re: Real property owned by the Imperial Japanese Government.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Real property situated in the City of Washington, District of Columbia, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

All those certain pieces or parcels of land and premises situate and being in the City of Washington, District of Columbia, known and distinguished as lots numbered ten (10), eleven (11) and twelve (12) of Megis' recorded subdivision of part of square numbered two hundred forty-five (245) said lots having a total frontage of seventy-five (75) feet on "N" Street North between Vermont Avenue and Thirteenth Street West, together with the rights, easements, privileges and appurtenances to the same belonging or in anywise appertaining.

[F. R. Doc. 48-3931; Filed, May 3, 1948;
8:50 a. m.]

BOARD OF FOREIGN MISSIONS REFORMED CHURCH IN U. S.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Board of Foreign Missions Reformed Church in U. S. (a Pennsylvania corporation), c/o Paul H. Schulz, Detroit, Mich., 7478; \$1,984.55 in the Treasury of the United States.

Executed at Washington, D. C., on April 29, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-3971; Filed, May 4, 1948;
9:00 a. m.]

[Vesting Order 11083]

CARL HUNOLD

In re: Trust under Will of Carl Hunold, deceased. File No. D-66-858; E. T. sec. 5150.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johanna Hunold, Lena Althof, Bertha Hunold Avers, Fritz Berghafer, Fritz Berghafer, and Carl Berghafer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the children, names unknown, of Frederick Hunold, deceased; children, names unknown, of Henry Hunold, deceased; children, names unknown, of Carlin(e) (a) Hunold, Fegge, deceased; children, names unknown, of Fritz Berghafer; and the children, names unknown, of Martha Berghafer Meuser, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under item tenth of the will of Carl Hunold, deceased, and presently being administered by Laban Evans, Ramsey, Illinois, as trustee, acting under the judicial supervision of the Circuit Court of Fayette County, Illinois, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the children, names unknown, of Frederick Hunold, deceased; children, names unknown, of Henry Hunold, deceased; children, names unknown, of Carlin(e) (a) Hunold Fegge, deceased; children, names unknown, of Fritz Berghafer; and the children, names unknown, of Martha Berghafer Meuser, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-3899; Filed, Apr. 30, 1948;
8:55 a. m.]